

Seismic Safety Commission  
Minutes of Teleconference Meeting  
December 9, 2004  
Seismic Safety Commission Office  
1755 Creekside Oaks Drive, Suite 100  
Sacramento, California

**Members Participating**

Lucy Jones, Chairman  
Mark Church  
Bruce Clark  
Lawrence T. Klein  
Stan Y. Moy  
Linden Nishinaga  
Celestine Palmer  
Daniel Shapiro  
Jimmie R. Yee  
Linden Nishinaga  
Celestine Palmer  
Daniel Shapiro  
Jimmie R. Yee

**Members Absent**

Senator Richard Alarcon/Chris Modrzejewski  
Andrew Adelman  
Don Manning  
Donald R. Parker, Vice Chair

**Staff Present**

Richard McCarthy, Executive Director  
Karen Cogan, Executive Assistant  
Henry Reyes, Staff Structural Engineer  
Henry Sepulveda, Director of Legislation  
Fred Turner, Senior Structural Engineer

**I. CALL TO ORDER/ROLL CALL**

The teleconference meeting of the Seismic Safety Commission was called to order by Chairman Lucy Jones at 10:03 a.m. Executive Assistant Karen Cogan called the roll and confirmed that a quorum was present.

**II. CHAIRMAN'S REMARKS**

Chairman Jones said she had no comments and hoped to conduct an efficient meeting.

**III. EXECUTIVE DIRECTOR'S REPORT**

**Report on FEMA Appeal**

Mr. Richard McCarthy reported that he, Commissioner Clark, Commissioner Manning, and Mr. Turner met with FEMA representatives during the first week of December to discuss the Commission's appeal. He said FEMA is looking for specific back-up receipts, and the Commission staff thinks FEMA is still in error. He promised to provide a more detailed briefing at the Commission's January meeting.

**IV. COMMITTEE REPORTS**

None.

## **V. LEGISLATION**

Mr. Henry Sepulveda reported that the new members of the California Legislature were sworn in on Monday, December 6. He said the Legislature will reconvene for business in January. He reported that the staff has been working to set up appointments for commissioner visits to legislators during the week of January 10.

Mr. Sepulveda noted Assemblyman Yee's staff conveyed Assemblyman Yee's interest in sponsoring two more bills related to seismic safety. At Commissioner Don Parker's suggestion, the staff is also arranging meetings with Senator Chesbro's office.

Mr. Sepulveda commented that another bill idea for the Commission to consider is code cleanup legislation to modify provisions regarding a Commission-sponsored conference in 1991. He said the staff will approach Assemblywoman Liu as a possible author for that legislation.

Mr. Sepulveda reported that some bills have already been introduced, so the staff has begun tracking legislation. In particular, one bill would allow OSHPD to use independent plan reviewers to speed up hospital projects. Another new bill proposes eliminating salaries for all state boards and commissions and going to per-diem status instead. Mr. Sepulveda observed that this measure would not affect the Commission, whose members serve as volunteers.

Mr. Sepulveda said the staff will have a more detailed legislative update at the January meeting.

ACTION: No action required.

## **VI. APPROVAL OF DRAFT REPORT ON SCHOOL SAFETY**

Chairman Jones presented an updated draft of the report on school safety. She said that since the last meeting, the committee incorporated comments from Commissioner Clark and private school representatives. She noted there are two important additions that help clarify the intent of the report: one, a clear statement that the Field Act works, and two, an explanation that the report is calling not calling for immediate money from private schools that public schools are not also paying. Chairman Jones said the report points out the intent is to ensure that private school buildings undergo the same kind of evaluation process as public schools have done.

Chairman Jones noted the Commission previously talked about the concept of whether California's private schools are deemed "safe enough." She emphasized the Commission's consistent position has been that the Field Act results in stronger buildings, possibly because Field Act buildings are built as they are supposed to be. Chairman Jones expressed her opinion that the continuous inspection requirements of the Field Act make a substantial difference.

Chairman Jones suggested that the Commission delegate authority to her, Commissioner Shapiro, and Commissioner Klein to make additional grammatical and editorial changes. She proposed reviewing the document page by page and discussing substantive changes.

## **Meeting Minutes**

Mr. Henry Reyes reported that DSA indicated about 70 school districts had called DSA requesting follow-up information on the AB 300 report. Mr. McCarthy suggested finding out the total number of school districts in the state and inserting that number in the report.

Mr. McCarthy later informed the Commission there were 1,434 school districts in the state.

Commissioners reviewed, discussed, and agreed upon changes to the draft document.

**ACTION:** Commissioner Klein made a motion, seconded by Commissioner Clark, that:

*The Commission approve the School Safety report as amended and authorize the committee to proceed as proposed.*

\* Motion carried, 9 - 0.

Mr. McCarthy congratulated the Seismic Safety Commission for taking this important step. He noted the report clearly conveys the message that the Field Act results in better buildings than private school buildings, even if they are constructed properly.

Chairman Jones said she would make the changes, finalize the report, and send the amended version to all commissioners.

## **VII. PUBLIC COMMENT**

There were no members of the public who wished to address the Commission.

## **VIII. MISCELLANEOUS & GOOD OF THE MEETING**

There were no other items brought to the attention of the Commission.

**December 9, 2004**

**XI. ADJOURNMENT**

There being no further business, the meeting of the Seismic Safety Commission was adjourned at 11:19 a.m.

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Sue Celli  
Office Manager

Approved by:

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Richard McCarthy  
Executive Director